

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GLORIA DELLAFOSSE,

No. C 07-3948 MMC

Plaintiff,

**ORDER DISMISSING REMAINING
CLAIMS; DIRECTIONS TO CLERK**

v.

COUNTY OF CONTRA COSTA, et al.,

Defendant

_____ /

By order filed March 27, 2008, the Court (1) granted summary judgment in favor of the County of Contra Costa as to all claims alleged against it, (2) granted summary judgment in favor of the Contra Costa County In-Home Support Services Public Authority ("the Public Authority") and John Cottrell ("Cottrell") as to the Second Cause of Action, and (3) dismissed with leave to amend the First and Third Causes of Action, as alleged against the Public Authority and Cottrell. In said order, the Court also afforded plaintiff the opportunity to file, no later than April 13, 2008, a Second Amended Complaint to cure the deficiencies identified therein with respect to the First and Third Causes of Action. To date, plaintiff has not filed a Second Amended Complaint.

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1 Accordingly, for the reasons set forth in the Court's order filed March 27, 2008:

2 1. The First Cause of Action, to the extent it is alleged against the Public Authority
3 and Cottrell and is based on a state law claim, is DISMISSED without prejudice to plaintiff's
4 presenting a claim to the Public Authority and Cottrell; and

5 2. The First Cause of Action, to the extent it is alleged against the Public Authority
6 and Cottrell and is based on a federal claim, and the Third Cause of Action, to the extent it
7 is alleged against the Public Authority and Cottrell, are hereby DISMISSED with prejudice.

8 The Clerk is directed to enter judgment in favor of defendants.

9 **IT IS SO ORDERED.**

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11 Dated: April 21, 2008


MAXINE M. CHESNEY
United States District Judge